

April 17, 2023

VIA CM/ECF

The Honorable Brian M. Cogan
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

**Re: United States v. Mark Nordlicht and David Levy
No. 1:16-cr-00640-BMC**

Dear Judge Cogan:

We represent David Levy in the above-referenced matter, and write on his behalf and on behalf of Mr. Nordlicht, Mr. Small and the Government to address the date for the hearing on “loss.”

The loss hearing had been scheduled for April 18, 2023, and all counsel and clients had been prepared to appear on that date. On Friday, the Court rescheduled the loss hearing for April 25, 2023. Counsel for Mr. Levy is not available on that date as both Mr. Sommer and Mr. Fodeman will be on the west coast all next week in connection with another matter. We have conferred with counsel for defendants and the Government, and have found two alternative dates in the coming weeks when all counsel and clients are available: May 16, 2023 and May 25, 2023.

Accordingly, we respectfully request that the Court, if its schedule permits, reschedule the “loss” hearing for one of these dates.

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

s/ Michael S. Sommer
Michael S. Sommer

Counsel for Defendant David Levy

cc: All Counsel of Record (via CM/ECF)